

REMARKS

This Amendment is in response to the Office Action, dated August 11, 2005, ("Office Action"). In the Office Action, Claims 1-45 were pending. Examiner withdrew claims 4-6, 14-16, 22-24 and 35-37 from consideration for being drawn to non-elected inventions. Claims 1, 3, 7-13, 17-21, and 25-32 were rejected under 35 U.S.C. §112, first paragraph, *"because the specification, while being enabling for [treating] a glioma cell or tumor...does not reasonably provide enablement for [treating] any malignant cell or tumor..."* Claims 1-2, 7-12, 17-20, 25-33, and 38-45 were objected because claims 1, 8, 17, and 33 were drawn to a genus of calcium-activated potassium channel activators. Claims 3, 13, 21 and 34 were objected due to a misspelling of a calcium-activated potassium channel activator.

Claims 2-6, 12-16, 18, 21-24 and 34-37 have been canceled by virtue of the present amendment without prejudice (claims 46-50 having previously been canceled).

Claims 1, 8 and 17 have been amended to incorporate the limitations of claims 2, 12, and 18, respectively, which recite that the malignant cell is a glioma or astrocytoma cell. Applicants respectfully submit that amended claims 1, 8, 17 and claims dependent therefrom are enabled by the specification, and respectfully request that Examiner withdraw the rejection under 35 U.S.C. §112, first paragraph.

Claims 1, 8, 17, and 33 have been amended to incorporate the limitations of claims 3, 13, 21, and 34, respectively, which recite that the calcium-activated potassium channel activator is 1,3-dihydro-1-[2-hydroxy-5-(trifluoromethyl)phenyl]-5-(trifluoromethyl)-2H-benzimidazole-2-one. The spelling of the calcium-activated potassium channel activator, 1,3-dihydro-1-[2-hydroxy-5-(trifluoromethyl)phenyl]-5-(trifluoromethyl)-2H-benzimidazole-2-one, has also been corrected.

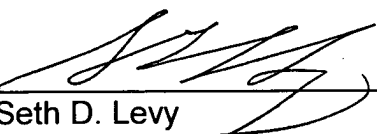
Applicants reserve the right to pursue any unclaimed subject matter in one or more continuation or divisional applications.

All of the claims remaining in the application are now believed to be allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited.

If questions remain regarding this application, the Examiner is invited to contact
the undersigned at (213) 633-6800.

Respectfully submitted,

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Enclosure:
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Petition for three-month extension of time

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